

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION

In re:

Melissa Knight

Case No. 10-80209- -
Chapter 7

Social Security Number: xxx-xx-2103

Mailing Address: 9 Hampton Hill Place, Chapel Hill, NC 27517-

Debtor.

**MOTION TO CONVERT
FROM CHAPTER 7 TO 13**

NOW COMES the Debtor, by and through counsel undersigned, who, pursuant to 11 U.S.C. § 706 (a) and in accordance with Bankruptcy Rules 1017(d) and 9013, moves to convert this case from Chapter 7 to Chapter 13. In support thereof, the Debtor respectfully shows the Court as follows:

1. That a voluntary petition for relief under Chapter 7 of Title 11 of the United States Code was filed on August 29, 2009, in the U.S. Bankruptcy Court for the Eastern District of North Carolina;
2. This case has not been previously been converted under sections 11 U.S.C. §§ 1112, 1208 or 1307;
3. That the Bankruptcy Administrator from the Eastern District of North Carolina filed a Motion to Dismiss this case pursuant to 11 U.S.C. § 707(b) on or about November 16, 2009;
4. That venue was transferred in this case to the Middle District of North Carolina on February 6, 2010.

WHEREFORE, the Debtor requests the Court to convert this case to Chapter 13, and grant such other and further relief as the Court may deem proper.

Dated: February 22, 2010

LAW OFFICES OF JOHN T. ORCUTT, P.C.

/s Edward Boltz

Edward Boltz

Attorney for the Debtor

North Carolina State Bar No.: 23003

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CERTIFICATE OF SERVICE

I, Renee Nolte, of the Law Offices of John T. Orcutt, P.C., certify, under penalty of perjury, that I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age, and that on February 22, 2010, I served copies of the foregoing Motion To Convert and to Dismiss Bankruptcy Administrator's Motion to Dismiss Pursuant to 11 U.S.C. § 707 (b), electronically, or when not feasible by regular U.S. mail, upon the following parties (names and addresses):

John Northen
Chapter 7 Trustee
Post Office Box 2208
Chapel Hill, NC 27514-2208

Bankruptcy Administrator
Post Office Box 1828
Greensboro, NC 27402

Melissa Knight
9 Hampton Hill Place
Chapel Hill, NC 27517-

/s Renee Nolte
Renee Nolte